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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,392	08/16/2001	Bryan K. Hicks	14591.10	1575

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EXAMINER

HO, THOMAS Y

ART UNIT PAPER NUMBER

3677

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/931,392

Applicant(s)

HICKS ET AL.

Examiner

Thomas Y Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 6-9 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. The DURAFLEX® 2000 brochure, National Molding Corporation (Pg.32, January 1999) discloses a “MOD-U-LOX® KEY RING AND BADGE HOLDING SYSTEM” anticipates Applicant’s invention more than a year before the effective filing date of the instant application.

As to claim 1, DURAFLEX® discloses a lanyard connector comprising:

- A lanyard connector body 7365, 7400 that is configured to be coupled to the ends of a lanyard substrate.
- A coupling portion extending from the lanyard connector body 7365, 7400 to thereby allow selective coupling of an attachment 7387 to the lanyard connector and selective decoupling of the attachment from the connector.

Wherein the lanyard connector body comprises:

- A first portion 7400 that is configured to be coupled to the ends of the lanyard substrate
- A second portion 7365 that is selectively coupled to the first portion, such that a user can: (A) selectively attach an attachment 7387 to the coupling portion; and (B)

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selectively attach the first portion of the connector body 7400 to the second portion of the connector body 7365.

As to claim 2, DURAFLEX® comprises a lanyard connector wherein:

- The first 7400 and second portions 7365 of the lanyard connector body are each plastic members.

As to claim 6, DURAFLEX® discloses a lanyard connector wherein:

- The coupling portion is configured to receive an attachment 7387 rotatably coupled to the coupling portion.

As to claim 7, DURAFLEX® discloses a lanyard connector wherein:

- The first 7400 and second 7365 portions are configured to be nonrotatably coupled to each other, such that the attachment 7387 rotates about the coupling portion while the connector body 7365, 7400 is firmly, nonrotatably secured to the lanyard substrate.

As to claim 8, DURAFLEX® discloses a lanyard connector wherein:

- The lanyard connector body 7365, 7400 receives the ends of the lanyard substrate therein.

As to claim 9, DURAFLEX® discloses a lanyard connector wherein:

- The second portion of the lanyard connector body 7365, 7400 comprises a neck upon which an attachment 7387 is selectively mounted. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.

Claims 10-13, 15, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi USPN5471716.

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As to claim 10, Takahashi discloses a lanyard connector comprising:

- A lanyard connector body 11 and 13 that is configured to be coupled to the ends of a lanyard substrate therein.
- A neck 26 (fig.8) extending from the lanyard connector body 11 and 13 to thereby allow selective, rotatable attachment of an attachment 12 to the lanyard connector.
- Wherein an attachment 12 is selectively, rotatably mounted onto the neck 26 such that the neck 26 is coupled within a portion of the attachment 12.

Wherein the lanyard connector body 11 and 13 comprises:

- A first portion 11 that is configured to be coupled to the ends of the lanyard substrate therein.
- A second portion 13 that is selectively coupled to the first portion, such that a user can: (A) selectively, rotatably mount an attachment 12 onto the neck 26; and (B) selectively attach the second portion 13 of the connector body 11 and 13 to the first portion 11.

As to claim 11, Takahashi discloses a lanyard connector wherein:

- The first portion 11 of the lanyard connector body 11 and 13 comprises a female portion.
- The second portion 13 comprises a male portion that is selectively mounted with the female portion.

As to claim 12, Takahashi discloses a lanyard connector wherein:

- The male portion 13 includes the neck 26 thereon.

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As to claim 13, Takahashi discloses a lanyard connector wherein:

- The male portion 13 comprises first and second prongs 23 that selectively mount within the female portion 11.

As to claim 15, Takahashi discloses a lanyard connector wherein the lanyard connector body 11 and 13 comprises:

- A female buckle portion 11.
- A male buckle portion 13.
- The male buckle portion 11 including the neck 26 thereon.
- The male buckle portion 13 being selectively mounted within the female buckle portion 11 such that a user can: (A) selectively, rotatably attach an attachment 12 to the neck 26; and (B) selectively attach the male buckle portion 13 to the female buckle portion 11.

As to claim 20, Takahashi discloses a lanyard connector wherein:

- The male portion 13 comprises first and second prongs 23 that selectively mount within the female portion 11.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 3-5, 18-19, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over DURAFLEX® 2000 brochure, National Molding Corporation (Pg.32, January 1999) in view of Huckenbeck USPN5740952.

As to claim 3, DURAFLEX® discloses a lanyard connector wherein:

- The first portion 7400 of the lanyard connector body comprises a male portion.
- The second portion 7365 comprises a female portion that is selectively mounted with the male portion.

DURAFLEX® fails to disclose or suggest:

- Reversal of male/female (first portion female, second portion male) on the lanyard connector body.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female

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components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 4, DURAFLEX® discloses a lanyard connector wherein:

- The coupling portion of the lanyard connector body 7365, 7400 is coupled to the female portion 7365 of the lanyard connector body 7365, 7400.

DURAFLEX® fails to disclose or suggest:

- The coupling portion of the lanyard connector body is coupled to the male portion of the lanyard connector body (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.



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As to claim 5, DURAFLEX® discloses a lanyard connector wherein:

- The first portion 7400 of the lanyard connector body comprises a male buckle portion.
- The second portion 7365 comprises a female buckle portion that is selectively mounted with the male portion.

DURAFLEX® fails to disclose or suggest:

- Reversal of male/female (first portion female, second portion male) on the lanyard connector body.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

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As to claim 18, DURAFLEX® discloses a lanyard connector comprising:

- A lanyard substrate having first and second ends.
- A lanyard connector body 7365, 7400 comprising:
- A female buckle portion 7365.
- A male buckle portion 7400.
- A neck extending from the lanyard connector body 7365, 7400 to thereby allow selective, rotatable attachment of a variety of different attachments 7327, 7387, 7386, 7363 to the lanyard connector. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.
- The male buckle portion 7400 is selectively mounted within the female buckle portion 7365, such that a user can: (A) selectively, rotatably attach an attachment 7387 to the neck; and (B) selectively attach the male buckle portion 7400 to the female buckle portion 7365.

Wherein the male buckle portion 7365 comprises:

- A male clamping portion.
- A female clamping portion.
- The male clamping portion selectively mounting within the female clamping portion with the first and second ends of the lanyards substrate therebetween.

DURAFLEX® fails to disclose or suggest:

- The female buckle portion comprises clamping portions (reversal of male/female on the lanyard connector body).

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Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 19, DURAFLEX® discloses a lanyard connector wherein:

- The male 7400 and female 7365 body portions of the lanyard connector are each made from a plastic material.

As to claim 21, DURAFLEX® discloses a lanyard connector wherein:

- The male and female body portion of the lanyard connector are each made from a plastic material.

As to claim 22, DURAFLEX® discloses a lanyard connector wherein:

- The male portion comprises first and second prongs that selectively mount within the female portion.

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Claims 14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi USPN5471716 in view of Blackburn USPN4387490.

As to claim 14, Takahashi fails to disclose or suggest the lanyard connector body comprising:

- A male clamping portion.
- A female clamping portion.
- The male clamping portion selectively mounting within the female clamping portion to clamp the first and second ends of the lanyard substrate therebetween.

Takahashi discloses a lanyard connector body with a lanyard restraining means 34. Blackburn discloses a buckle wherein a lanyard connector body comprises male and female clamping portions that clamp a substrate therebetween, to obviate the need for stitching, and to ensure that a workpiece is secure (col.2, ln.1-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector body disclosed by Takahashi to have male and female clamping portions to clamp a substrate, as taught by Blackburn, to obviate the need for stitching, and to hold secure a workpiece.

As to claim 16, Takahashi discloses a lanyard connector wherein:

- The female buckle portion 11 has a lanyard restraining means (34).

Takahashi fails to disclose or suggest a female buckle portion comprising:

- A male clamping portion.
- A female clamping portion.

Blackburn discloses a buckle wherein the lanyard restraining means comprises male and female clamping portions that clamp a substrate therebetween, to obviate the need for stitching,

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and to ensure that a workpiece is secure (col.2, ln.1-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector body female buckle portion disclosed by Takahashi to have male and female clamping portions to clamp a substrate, as taught by Blackburn, to obviate the need for stitching, and to hold secure a workpiece.

As to claim 17, Takahashi discloses a lanyard connector wherein:

- The female buckle portion 11 has a lanyard restraining means 34.

Takahashi fails to disclose or suggest the female buckle portion comprising:

- A male clamping portion.
- A female clamping portion.
- The male clamping portion selectively mounting within the female clamping portion to clamp the first and second ends of the lanyard substrate therebetween.

Takahashi discloses a lanyard connector body with a lanyard restraining means 34.

Blackburn discloses a buckle wherein a lanyard connector body comprises male and female clamping portions that clamp a substrate therebetween, to obviate the need for stitching, and to ensure that a workpiece is secure (col.2, ln.1-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector body female buckle portion disclosed by Takahashi to have male and female clamping portions to clamp a substrate, as taught by Blackburn, to obviate the need for stitching, and to hold secure a workpiece.

*Response to Arguments*

Applicant's arguments filed 10/09/02 have been fully considered but they are not persuasive.

With respect to Applicant's examination of the DURAFLEX® reference, the Examiner disagrees with the Applicant's evaluation that the DURAFLEX® reference does not teach selective decoupling of an attachment. The DURFLEX® reference discloses an attachment means having resiliently biased V-shaped members that flex to fit into an aperture, then expand upon further insertion to prevent immediate withdrawal of the attachment. The opposite method could be used to selectively decouple the attachment because the V-shaped members never lose their ability to be flexed inwardly. Regardless of the "side squeeze buckle" system, it is obvious that removal of the attachment is possible.

With regards to claim 10, Applicant's arguments are moot in view of a new grounds of rejection. The Takahashi reference has been used to reject the new limitations concerning the "neck".

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN4577374 to Lii discloses a snap hook and buckle.

USPN5148582 to Dennis discloses a quick release cord strap system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is thomas.ho@uspto.gov and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 9:30AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9327.

TYH

November 26, 2002

  
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